

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**  
**CHRISTOPHER ROSS,**

**Plaintiff,**

**9:18-cv-39  
(GLS/TWD)**

**v.**

**BRANDON SMITH et al.,**

**Defendants.**

**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**  
CHRISTOPHER ROSS  
*Pro Se*  
30 Oak Street  
Port Chester, NY 10573

**FOR THE DEFENDANTS:**  
HON. LETITIA JAMES  
New York State Attorney General  
The Capitol  
Albany, NY 12224

MARK G. MITCHELL  
Assistant Attorney General

**Gary L. Sharpe**  
**Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Thérèse Wiley Dancks duly filed November 2, 2020. (Dkt. No. 49.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

**ORDERED** that the Order and Report-Recommendation (Dkt. No. 49) is **ADOPTED** in its entirety; and it is further

**ORDERED** that defendants' motion to dismiss pursuant to Fed. R. Civ. P. 41(b) (Dkt. No. 45) is **GRANTED**; and it is further

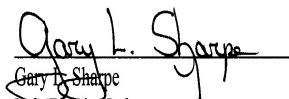
**ORDERED** that plaintiff's amended complaint (Dkt. No. 16) is **DISMISSED**; and it is further

**ORDERED** that the Clerk enter judgment and close this case; and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

**IT IS SO ORDERED.**

November 23, 2020  
Albany, New York

  
Gary L. Sharpe  
U.S. District Judge